

Message Text

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ORIGIN EB-07

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TO USMISSION OECD PARIS IMMEDIATE

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FOR PAUL BOEKER FROM SMITH

E.O. 11652: N/A

TAGS: EINV

SUBJECT: U.S. CHAMBER VIEWS ON GUIDELINES DRAFT

1. OAKLEY JOHNSON CALLED TO GIVE ME COMMENTS RESULTING FROM CHAMBER CONSIDERATION OF LATEST DRAFT OF OECD GUIDELINES. IN GENERAL, THEY WERE SUPPORTIVE OF NAM COMMENTS WHICH WE CONSIDERED AT INTER-AGENCY MEETING LAST WEEK.

INTRODUCTION.

2. CHAMBER REMAINS SOMEWHAT CONCERNED WITH THE NEGATIVE TONE OF REFERENCE TO "ABUSE OF CONCENTRATIONS OF ECONOMIC POWER" IN PARAGRAPH ONE AND WOULD PREFER IT OUT. THEY SUPPORTED THE NAM IN WANTING THE FOLLOWING ADDITION TO THE FIRST SENTENCE IN PARAGRAPH TWO: "...WHILE
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PURSUING THE OBJECTIVES APPROPRIATE FOR THEIR OWN EMPLOYEES

AND THE ECONOMIC VIABILITY OF THE ENTERPRISE."

INFORMATION DISCLOSURE.

3. CHAMBER WOULD LIKE TO SEE A QUALIFICATION ALONG THE LINES OF, "CONSISTENT WITH MAINTAINING A COMPETITIVE MARKET SYSTEM" IN PARAGRAPH ONE.

4. IN PARAGRAPH 2(III), CHAMBER WANTS "AND THE RESULTS OBTAINED" INSERTED BEFORE "IN THE MAJOR LINES OF BUSINESS" TO MAKE IT CLEAR THAT A REGIONAL BREAKDOWN BY LINES OF BUSINESS IS NOT INTENDED.

5. CHAMBER WANTS 2(VIII) OUT, ARGUING IT IS NOT CLEAR WHAT IS WANTED AND THAT, IN ANY CASE, THE SUBJECT IS COMPLEX AND DIFFICULT TO HANDLE IN THE CONTEXT OF INFORMATION DISCLOSURE.

RESTRICTIVE BUSINESS PRACTICES.

6. CHAMBER WANTS THIS RETITLED, "COMPETITION", SINCE PRESENT TITLE IS LESS CLEAR AND HAS A NEGATIVE TONE. THEY ALSO WOULD PREFER "CO-OPERATE" OUT IN PARAGRAPH FIVE SINCE THEY ARE NOT SURE WHAT IT IMPLIES. OAKLEY INDICATED, HOWEVER, THAT THIS IS NOT A POINT THEY FEEL STRONGLY ABOUT.

FINANCING AND TRADE.

7. CHAMBER WANTS TO DROP "TRADE" FROM TITLE AND WOULD LIKE REFERENCE TO BALANCE OF PAYMENTS OUT.

EMPLOYMENT AND INDUSTRIAL RELATIONS.

8. CHAMBER WANTS TO BE SURE THAT THE REFERENCE IN PARAGRAPH ONE TO INTERPRETATION OF AGREEMENTS, IS NOT CONSIDERED TO BE A CALL FOR ARBITRATION OF LABOR DISPUTES. IN PARAGRAPH EIGHT, THEY WANT THE WORD "LOCAL" OR "NATIONAL" INSERTED BEFORE "REPRESENTATIVES OF THEIR EMPLOYEES, SO THAT LANGUAGE CAN NOT BE USED TO SUPPORT LIMITED OFFICIAL USE

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CALLS FOR INTERNATIONAL BARGAINING.

CONSULTATIONS

9. CHAMBER FEELS VERY STRONGLY THAT COMPANIES SHOULD NOT APPEAR ON THEIR OWN IN CONSULTATIONS. KISSINGER

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